

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 37

December 7, 2010

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON DECEMBER 7, 2010

SUBJECT: EMPLOYEE'S DUTY TO COOPERATE WITH INVESTIGATIONS RELATING TO CIVIL LITIGATION AGAINST THE CITY OF LOS ANGELES OR THE DEPARTMENT - ESTABLISHED

PURPOSE: This Order establishes the duty of all Department employees to cooperate with investigations and disclose facts related to claims for damages or civil litigations in which the City of Los Angeles (City) or the Department is a defendant.

PROCEDURE: EMPLOYEE'S DUTY TO COOPERATE WITH INVESTIGATIONS RELATING TO CIVIL LITIGATION AGAINST THE CITY OF LOS ANGELES OR THE DEPARTMENT - ESTABLISHED. Department Manual Section 1/210.48, *Employee's Duty to Cooperate with Investigations Relating to Civil Litigation Against the City of Los Angeles or the Department*, has been established. An employee who has knowledge of facts involving claims for damages or civil litigations in which the City or the Department is a defendant shall:

- * Cooperate with the City's legal representatives, which may include attorneys from the City Attorney's Office or outside counsel hired by the City;
- * Cooperate with investigators from the City assigned to claims or civil litigations, which may include, but is not limited to, Risk Management Division or outside private investigators hired by the City's legal representatives; and,
- * Disclose facts of the case to investigators from the City and/or the City's legal representatives.

A Department employee's refusal to cooperate with investigations or refusal to disclose known facts is considered neglect of duty and/or insubordination and may result in disciplinary action up to and including termination.

Note: Nothing in this Order is intended to violate an employee's constitutional or statutory rights (e.g., right against self-incrimination) or otherwise require the disclosure of privileged communications. Any statement made by an employee in compliance with this Order is the confidential work product of the City's legal representatives. The Department will take appropriate action to ensure that the City's legal representatives cooperate with Department employees and their legal representatives and answer their questions responsively.

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AMENDMENT: This Order adds Section 1/210.48 to the Department Manual.

MONITORING RESPONSIBILITY: The Commanding Officer, Risk Management Division, shall have monitoring responsibility for this directive.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



CHARLIE BECK
Chief of Police

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